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and learned preface. He gives us much information concerning feudal tenures and the history of the exchequer. To consider all the questions which he examines would require many pages. We can call attention to one topic only—his discussion of scutage. He deals in detail with the history of the various scutages of Henry II.'s reign, but we are particularly interested in his explanation of the nature of scutage. Briefly stated, his views on this subject are as follows: Before Henry II.'s time scutage was a fixed sum levied as a tax upon all the military tenants of a barony, and especially upon church tenants; it is not yet an assessment on the knight's fee. Early in the reign of Henry II. scutage in its later and proper sense is introduced. It is not, however, as most writers assert, a commutation of the personal service of tenants-in-chief, but a tax levied by the lord on his tenants (sub-tenants of the crown) by virtue of the royal writ *de scutagio habendo*. The tenant-in-chief must perform his military service, "the value of which far exceeded in all times the average value of scutage." If he does not perform his service, he must pay a heavy fine to the crown. If he renders personal service or if he pays a fine, he may or may not obtain permission from the king to recoup himself by the levy of a scutage on his tenants. Mr. Hall then adds that "the crown eventually received this scutage money either at the hands of the lords or by those of the sheriff" (page clix). It is difficult to reconcile this assertion with statements that precede and follow it; for example, on pages clx. and cxcii. Mr. Hall says that the scutage would go to the lord unless it were assigned to the crown by the lord. This part of the preface was doubtless printed before the publication of Pollock and Maitland's *History of English Law*. Both works agree in rejecting the old view, that scutage was a commutation of the personal service of the tenant-in-chief, and in maintaining that scutage was often collected by the crown from the under-tenants even when the lord had performed his service. Both works fail, however, to make clear the relations of these under-tenants to their lords and to the crown as regards the payment of scutage. It is evident that the last word on this subject has not yet been said.

We fear that we have not done justice to Mr. Hall in this meagre outline of the contents of his work. Historical students must feel under great obligations to him for the task that he has so well achieved. The careful editing of such a collection of records requires an enormous amount of painstaking labor, which few persons are equipped to perform or have the courage to undertake.

CHARLES GROSS.

The National Movement in the Reign of Henry III., and its Culmination in the Barons' War. By OLIVER H. RICHARDSON, Professor of History in Drury College. (New York: The Macmillan Company. 1897. Pp. qiv, 235.)

THE political history of the reign of Henry III. has been often told; and the vicissitudes of the struggle for the charters have been described

at length by Bishop Stubbs with painstaking regard to constitutional details. Still, in tracing the causes of the "national movement" to its culmination in the Provisions of Oxford and the Barons' War, clearing the way for the great statutes and the settlement of the representative system under Edward I., Professor Richardson has rendered a distinct service. The selection of the right point of view for understanding the forces which drove the people to action has given him a decided advantage, even in the handling of often-used materials; for the crisis came when it was perceived that there was imminent danger of the "denationalization of England" through the policy of the pope and that of his facile instrument, the devout and fatuous king. The author's object is to "portray, first, those movements which tended to denationalize the church and state of England by perversion of the English constitution and by the introduction of the political doctrines of thirteenth-century France and the Empire-Church; and second, those counter-movements which resulted in the complete triumph of the national principle as manifested in the dim beginnings of the revolt from Rome, in the completion of race unity, and the establishment of the constitution upon a basis both national and popular." Throughout, the investigation rests mainly on the chronicles and other contemporary writings; and the author has not failed to realize his hope to "catch the spirit of the time from the pages of the historians who lived among the events which they so vividly describe."

The work comprises three chapters. The first chapter, in two parts, deals with the "Primary Forces." In the first part is shown how the elements of Anglo-Saxon nationality, political and ecclesiastical, were preserved under William I. and his successors. The worst features of continental feudalism were prevented at the "Gemot of Salisbury Plain." Speaking broadly, from the Conquest "to the loss of Normandy under John, good order was maintained by the union of crown and English people against the baronage, but at the expense of liberty: from the loss of Normandy to the reign of Edward I. liberty could be secured only by the union of barons and people against the crown, but at the expense of good order." So also the Anglo-Saxon church, though the child of Rome, was peculiarly national in character. The "identity of interests established at that time between the masses of the clergy and the people" was not permanently shaken by the Norman Conquest, notwithstanding the disastrous consequences of the separation of the ecclesiastical from the lay jurisdiction. This result was mainly due to the "admirable position of William I. and Lanfranc toward one another" and to the fact that the "bulk of the lower clergy remained Saxon and retained the Saxon speech." The second part of the chapter gives an estimate of the influence of the friars, a small body of whom made their advent in England on the 11th of September, 1224, and in a little more than thirty years had increased in number one hundred and forty fold. This is one of the most interesting and original contributions which the book contains. The friars were active propagandists, whose influence was mainly felt

in the great towns which had been avoided by the old monastic orders. They stood for education and for moral, religious and social reform, basing "their appeals or instruction upon experience rather than on theory." Just "as the doctrine of Wycliffe undoubtedly fostered at a later date the social tendencies inherent in the masses, so at this early period the thoroughly Christian democracy of the mendicant friars fostered the growth of the city commune, which—in London especially—played such an important part in the Barons' War." But a surer proof of their political leanings is seen in the "mutual relations of the three great men to whom, more than to any others, the foundation of a national-ecclesiastical party was due,—Adam Marsh, a Minorite and the soul of the University of Oxford in his day; Robert Grosseteste, the great bishop of Lincoln; and Simon de Montfort." From their preserved correspondence the influence of the wholesome political ideas of the friars upon Earl Simon is here clearly established.

"The forces which roused England to armed resistance" is the subject of the second chapter. This is arranged in eight parts, each dealing with a distinct force, and in bulk constitutes one-half the entire book. After an interesting discussion of the influence of the contemporary political literature—the most important part of which comes from the friars—the alienation of London and the alienation of Simon de Montfort from the crown are in turn considered. Then follow in the fourth, fifth and sixth parts the denationalization of England with regard to the state, the relations of the church and the pope, and the relations of the church and the king, respectively. Very vividly the author has described the invasion of the greedy horde of royal relatives and that of the hungry throng of ecclesiastical placemen. The fatuity of the king and the arrogance of the pope are well-nigh incredible. Roman extortion began to reach the climax under Innocent IV., whose success in this regard emboldened him to exclaim at the Council of Lyons, 1245, "Verily England is our garden of delights; verily it is an unexhausted well; and where many things abound, from the many can much be extorted." The folly of the king in the affair of the Sicilian crown, and the ignominious failure of the Welsh war, are the forces next considered in the remaining two parts of this chapter.

In the closing chapter are treated the outbreak and the culmination of the national movement. No attempt can here be made to review the author's discussion of the Provisions of Oxford or his account of the civil war. The reader will find relatively little here not already familiar to him in the second volume of Bishop Stubbs' great work. The concluding section, however, on "Parties and Principles," is of more interest, especially the analysis of the contemporary poem entitled the *Battle of Lewes*, which stands as a signal proof of the advanced teachings of the friars regarding the principles of limited monarchy and constitutional liberty.

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